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- ART. IX. — 1. *The Herald and Genealogist*. Edited by JOHN GOUGH NICHOLS, F. S. A. Vol. I. London: John Bowyer Nichols and Sons. 1863. pp. 594.
2. *The New England Historical and Genealogical Register and Antiquarian Journal*. Vol. XVIII. Part 3. (July, 1864.) *Report of the Standing Committee on Heraldry*.
3. *A Manual of Heraldry, Historical and Popular, with Seven Hundred Illustrations*. By CHARLES BOUTELL, M. A. 1863.

WIT has often been levelled against the pursuits of genealogists and family historians, and has often found a fair mark in them for its shafts. He must be of poor blood himself who is proud to trace his descent through a long line of inconspicuous or worthless nobodies, or who brushes the dust off his grandfathers' tombs in a spirit of vain and trivial curiosity, instead of the simple reverence of filial piety. Besides, as the worthy and valorous knight, Don Quixote de la Mancha, says, "the brave man carves out his fortune, and every man is the son of his own works." But, on the other hand, an honorable man himself may well take pleasure in a line of honorable ancestors, and the most consistent democrat among us will find nothing inharmonious with his principles in tracing his origin to those who were good men and brave in their day. At any rate, it seems to be almost an instinct in civilized man to seek to know who were his ancestors; and in our country, above all, we gratify our longing for a past and for a history, by following up our family names till we have found their original home in the Old World.

Nowhere of late years has the science of genealogy been more zealously pursued than in New England. To one familiar with the subject, the claim of the Virginia and South Carolina "chivalry," that they represented the gentlemen of England, while the Yankees were no better than base-born churls, was as amusing as it was false. But the repeated assertion of the claim has led to some special investigations in a limited field, of which we propose to present some of the results to our readers. Heraldry may be used as an assistance in genealogical and historical studies; and we propose to in-

quire by whom, and by what right, and to what extent, coats of arms have been used in New England.

We must premise that coats of arms are hereditary family emblems, originally assumed by the men-at-arms, or knights of the age of chivalry, as a mode of distinguishing the mailed warrior whose face was concealed by his helmet. Originally, also, these arms were assumed at the pleasure of the bearer; but as soon as they became the badge or mark of a class, the privilege of conferring them was reserved to the crown. Henry V. declared by proclamation, that no one should assume arms unless he had them by inheritance or by gift of the proper authorities, except those who bore arms with the king at Agincourt. Care was taken, by visitations made by the heralds to each county, to obtain and preserve lists of all such persons as claimed the right; and the establishment of Heralds' College by Richard III. led to a fixed plan for English heraldry. The rule now in force there is plain and simple; every man is entitled to his coat of arms who can prove his descent in the male line from any one recorded in the Heralds' Visitation, or from any one to whom arms have since been granted by the heralds. At present any one can also obtain a coat of arms for himself and his male heirs, by applying at the Heralds' College in London, and paying a stated fee.

It will thus be seen that there are many degrees of "gentlemen of coat-armor," from those whose ancestors used heraldic devices when they first became hereditary, down to the last recipient of the Earl Marshal's favor within the current month. In England, indeed, the use of coats of arms is so common that it ceases to attract notice; but it is probable that even there the easy mode of buying a regular coat of arms is less favored than the cheap method of assuming one.

As the use of arms in America is not infrequent, it is well to determine what rules ought to govern it, so that we may not be liable to the reproach of appropriating other people's property. Strange as it may seem, coats of arms are property, and, like a man's name, a species of property jealously guarded by the rightful holder. As only one individual originally received or assumed a particular coat of arms, and the right of inheritance belongs solely to his lineal descendants, not only

are others of the name not entitled to the same arms, but their assumption of the coat is a false claim of descent from the original owner. When an American ignorantly adopts the coat of arms of a family of his name in England, he not only asserts by the act that he can prove that he is allied to that family, but to the particular branch which has attained to a certain social rank. It is common for persons to plead as an excuse that the arms belong to the name; but this is a total mistake, arising from popular ignorance of the subject. No name as such is entitled to a coat of arms; the right was originally acquired by an individual, or the grant made to him, and has descended solely to his heirs.

If we in America desire to adopt English coats of arms, we must, in doing so, conform to the rules of English heraldry. Applying this test to existing examples, and carrying back our investigations throughout our Colonial history, we shall find that, though of late years there have been numerous barefaced assumptions of arms without probability or even possibility in their favor, still we have always had, in New England at least, a certain number of families whose claims to bear arms are sufficiently substantiated.

For the first century our ancestors were Englishmen in name and fact. Many of the first settlers used coats of arms on their seals, and every considerable collection of manuscripts of this date affords examples of them. Thus the Winthrop Papers, now publishing by the Massachusetts Historical Society, give us arms used before 1650 by the families of Winthrop, Humphrey, Downing, Peters, Williams, Hopkins, Haynes, Underhill, Hooke, Ward, Mayhew, Davenport, Godfrey, Child, Cotton, Harrison, White, Nye, Maverick, Parker, Bellingham, Fenwick, and Norton. The probate offices present also a chronological series of examples. A few pedigrees contemporaneous with the settlement of the country remain to us, as those of the Norton, Miner, Chute, Phippen, and other families, printed in the *New England Historical and Genealogical Register*. Within the past twenty years, the revived interest in genealogy has led to investigations in England which have given families here a right both to a pedigree and a coat of arms.

Thus far we are on firm ground; if there is any improper

assumption of arms in these cases, it must have occurred in England two centuries ago. The circumstances of the case entirely forbid this supposition. Our ancestors were accustomed to give a certain respect to social position, and would have detected and punished any attempt at fraud. Their religious principles were also diametrically opposed to any desire to assume false honors. In fact, we can feel more confident of the accuracy of these coats, than of most of those recorded in recent books on heraldry.

After 1700, however, there was a chance for error to creep in. Many men became enriched by commerce; many of the young men travelled abroad; many new settlers were attracted to the prosperous Colonies. From this date till 1750, we find the number of coats of arms increasing; and we meet with them not only on seals and tombstones, but in paintings, and in engravings on silver plate. After 1750, until the present century, we find everywhere the handiwork of one or more itinerant artists, who seem to have given a coat to every applicant, without authority or reason. A little care and investigation will, however, enable us to frame rules by which these inventions may be distinguished from true coats of arms.

In cases where there is no instance of the use of a coat by an original settler, but one appears in use in the second or third generation, we must remember that earlier examples may have been mislaid or destroyed. It can hardly be believed that any man whose father or grandfather was born in England would assume a coat of arms without a positive knowledge of its accuracy, and his right to it. Still less can we believe that armorial bearings would have been used on his tombstone, in the sanctity of consecrated ground, had they been open to the reproach of falsehood. Thus the tombstone of Rev. Gershom Bulkeley of Wethersfield, who died in 1713, and that of his son Edward Bulkeley, who died in 1748, show the Bulkeley arms; and it is but recently that a letter has been found of Rev. Peter Bulkeley, father of Gershom, dated in 1643, and bearing the same coat.

In investigating any particular case, due regard must be had to the special circumstances. Thus we do not know that Andrew Belcher used a coat of arms, but his son Jonathan, the

Governor, did ; and it was put on public documents as his privy seal, besides being engraved beneath his portrait. The case of Lieutenant-Governor Dummer was a similar one, until recently we discovered the arms he used on a seal that belonged to his father. In both of these cases, the rank of the individuals and the publicity with which the arms were used forbid the suspicion that they were borne without warrant.

Again, the families who constituted our Colonial gentry often, if not usually, intermarried. We can feel reasonably sure that families who matched with the Winthrops, the Clarks, the Levretts, the Belchers, the Dudleys, the Browns, the Mountforts, the Sewalls, and others of the gentry, were also entitled to coats of arms. The offices held by individuals, their position in the Church, the relative place they held on college catalogues, are all to be taken into account, in determining the probable validity of any coat for which we have only the authority of a painting a century old.

There is one point of some importance to be considered in examining seals dating back to the seventeenth century, and that is to be certain that they belonged to the person using them. This is especially the case in regard to seals attached to wills and deeds. Very often it happened that the armorial seal belonged to the notary, or to some witness ; in other cases, it was the property of a relative. Thus the will of Joshua Scottow, dated in 1697, bears a seal charged with six lioncels. This seal belonged to his father-in-law, Thomas Savage, whose tombstone, inscribed with this coat of arms, still stands in the King's Chapel burying-ground, in Boston. We know by the will of Thomas Savage, Jr., that he inherited his father's seal ring, and bequeathed it to his son. This ring undoubtedly Scottow borrowed when he signed his will. So the seal of Governor Stoughton was used by his son William, his daughter Rebecca Tailer, and by Thomas Cooper and John Nelson, who married two of his granddaughters. In the case of John Major, whose will was dated in 1702, the seal he used belonged to a witness, William Milborn. A comparison of the wills of Sarah Harris, 1702, and John Winchcombe, 1716, gives us the arms of Thomas Newton, who drew up and witnessed both papers, being a notary-public.

It therefore appears that it will not do to accept every example as positive proof that an individual intended to claim a particular coat of arms; but where we find the one used belonged to a family of his name, there is fair ground for supposing that he bore it, even when there is but one remaining example of its use.

It affords a curious satire on family pride to find as the result of our investigations that there is a total uncertainty as to who will prove to have been the bearers of arms in the past. We are not surprised to find the arms of Winthrop, Bradstreet, Dudley, Leverett, Vassall, Haynes, and others of our magistrates and rulers, but it is a little unexpected to find seals in families who never possessed any great distinction. Thus we find Samuel Eells of Hingham, 1705, used a shield charged with three eels; a coat of arms palpably his own, and probably borne by no other family in New England.

In considering such memorials as survive in engravings on plate, we have to exercise a careful scepticism, as it is a not unfair supposition that the same causes which lead people now to assume arms without right may have existed a century or more ago. Such wealth as was implied in the use of silver plate was not unlikely to be accompanied by a certain ostentation. Each particular instance of this sort must be judged on its own merits. In later times much silver was thus marked, and, with all our scepticism, it must be received as weighty evidence; for it must be recollected, that, however indifferent we may be to the rules of heraldry; our ancestors were familiar with them. They knew who were entitled to arms, and they expressly recognized the social divisions of English life.

Lastly, we have paintings of all grades of authority, from the Leverett picture, dating in 1645, to the latest productions of our Boston artists. These require the closest scrutiny, being the most numerous and least valuable witnesses as a class. We have seen a large oil-painting of the Bulkeley arms, which would be satisfactory even if we had not several other corroborative proofs. We have seen water-colors of the Oliver, Lynde, Fitch, Curwin, Prescott, and other family arms, which were evidently not copied from any printed book. On the other hand, as we have said, after the Revolution, or possibly after 1750, one or more artists traversed the country, painting arms from some heraldic dictionary.

From certain peculiarities of style, it seems probable that Nathaniel Hurd, an engraver of Boston, the earliest one in the Colony, made several book plates about 1750. From the form of the shield he employed, it will probably be feasible to identify many of these paintings of arms as his work. But it is also, we think, a distinguishing mark of his, that he writes under the painting a description of the person to whom the arms were granted. Such particulars he could not have derived from any work then in print. Such works as Edmondson and Burke have issued were not then extant. Gwillim, Morgan, Kent, Osborne, and a few other writers on the subject, had given some examples of coats of arms; but we doubt if any alphabetical catalogue of arms borne by English families, such as Burke now gives us, was then extant. Nor can we imagine that there was then in New England any considerable collection of English local histories, or similar works, from which such information could be gathered. We are rather inclined to believe that Hurd, and perhaps one or two of his contemporaries, merely drew from seals, documents, or tradition existing here.*

A wide field for investigation is opened by those cases in which a man is described in deeds or wills of early date as

* At the same time with Hurd, and previous to him, there were apparently two or three successive generations of the Gore family in Boston, who painted coats of arms. The latest was the brother of Governor Christopher Gore, a sign-painter. There is a book still extant, containing coats of arms of many Boston families, each painting with a date, the earliest being that of Dean Winthrop, in 1701. Under what circumstances this collection was made, it is difficult to say. The names are Winthrop, Middlecot, Frost, Joy, Stoddard, Evance, Roberts, Checkley, Sargent, Shrimpton, Phips, Spencer, Brattle, Legg, Norden, Richards, Paul, Apthorp, Foster, Hawkins, Saltonstall, Dyre, White, Taylor, Addington, Norton, Paige, Cook, Leverett, Belcher, Lemon, Huse, Brown, Hutchinson, Gee, Thatcher, Sweetser, Dudley, Brinley, Chute, Savage, Phillips, Pell, Yeomans, Wade, Mountfort, Borden, Pickman, Tyng, Dummer, Tilestone, Frizell, Waldron, Cushing, Boarland, Winslow, Kilby, Clarke, and MacAdams. The description of the individuals bearing these coats is in every case so particular, as to satisfy any one that they were actually drawn at the date annexed, — from 1701 to 1735. They contain in the impalements proofs of several marriages heretofore surmised, but not proved; in short, no one from our present records could have painted these coats, and no one at present would select these particular names as those of the prominent Boston families. Three quarters of these coats can be proved to have been used before these drawings were made; it is surely a fair argument to assume that the other quarter were also copied from existing originals.

“gentleman.” As during the period between 1650 and 1750 these States were English Colonies, it is fair to believe that our ancestors followed in this respect the English custom, and we have a right to count these names as designating a portion of the recognized gentry.

In the present state of our knowledge, it would be premature to give any list of families which used coats of arms in Colonial times. Such collections belong to historical societies; and the New England Historic-Genealogical Society, by instituting a Standing Committee on Heraldry, has announced its intention to pursue the matter.

Enough has been ascertained to make it clear that we can now point out at least one hundred and fifty families who began to use coats of arms during the Colonial period, and are as fully and clearly entitled to use them as any family in England. Whenever any champion of the Southern chivalry will present an equally extensive list of Virginians or Carolinians, we will try to furnish a supplement.

We are glad to take this occasion to represent the folly of unwarranted assumptions of arms at the present day. No act of silly pride or vanity can be more absurd in a republic like ours. The only value of these emblems is their historic value. And he is not merely foolish, but dishonest, who pretends to the right to bear arms, and thus falsifies one of the sources of history. Let the use of new-invented arms on seal rings and coach-panels be left to our new-invented “aristocracy,” the shoddy millionnaires of our great cities.

We have in what precedes derived our examples mainly from the founders of Massachusetts. This, we frankly own, proceeds from our ignorance of the early history of the other New England Colonies. The field to be investigated is a wide one; but we do not doubt that we shall have numerous auxiliaries when the subject is once understood.

If researches be made thoroughly on the basis we have recommended, we shall have an Armorial of New England, more accurate and valuable than its English prototype. Any one who consults Burke’s Landed Gentry will be struck with the large number of families which can trace their ancestry only to the time of the Civil War. In New England all of our

old families can easily be traced back thus far. Probably nine tenths of our native-born citizens of English descent can trace their pedigree for seven or eight generations with perfect accuracy. It would be impossible for an English herald to say to-day how many families were entitled in 1650 to use coats of arms, or how many are to-day thus distinguished. The large Dictionaries like Burke's, Edmondson's, and Berry's contain lists of all dates and of all degrees of authority. We can prepare a list of New England families, in which we will record none which has used a coat of arms for less than one hundred years, and we will fortify our claims by evidence conclusive to every inquirer.

And here we close, or rather with one word more we close, though the subject is far from being exhausted. Our last word is of thankfulness that all these heraldic distinctions, all these marks of class privilege, of social division, of hereditary distinction, are, except for the purposes of the historian in reconstructing the picture of our Colonial life, utterly gone, vanished from among us; and that the American gentleman is one who receives his patent of gentility from no Heralds' College, but who, grateful for honest parentage, proves his gentle blood by virtue and fair manners.

"Man is a name of honor for a king,
Additions take away from each chief thing."

ART. X. — 1. *Democracy in America*. By ALEXIS DE TOCQUEVILLE. Translated by HENRY REEVE. Edited, with Notes, by FRANCIS BOWEN. Third Edition. Cambridge: Sever and Francis. 2 vols. Post 8vo. 1863.

2. *Dissertations and Discussions, Political, Philosophical, and Historical*. By JOHN STUART MILL. Article on "Democracy in America." Boston: William V. Spencer. 1864.

THE controversy between the supporters of oligarchy and those of democracy, which has raged with greater or less heat ever since the middle of the last century, has drawn fresh vigor